



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

DATE: October 16, 2020

TO: Joint Legislative Transportation Oversight Committee
Fiscal Research Division – Transportation Team

FROM: Johanna H. Reese
Deputy Secretary for Intergovernmental Affairs

SUBJECT: MPO/RPO Voting Power Distribution Report

Session Law 2019-231 requires the Department of Transportation to report the following information to the legislature.

(1) The process used and guidelines followed by Metropolitan Planning Organizations and Rural Transportation Planning Organizations in determining how to distribute voting power among their voting members.

MPOs and RPOs establish voting guidelines in their memorandums of understanding (MOU), the foundational document establishing the planning organization and its partners. The MOUs are agreed to by participating counties and municipalities included in the MPO/RPO. The MOU must be adopted by the local county and municipal boards. Once the local governments have all adopted an MOU that includes the framework for the voting structure, NCDOT reviews and signs the MOU. Some planning organizations further refine voting procedures and processes in their bylaws.

The attached spreadsheet provides an overview of all MPO and RPO voting structures as well as individual sheets that present the current voting structure for each MPO and RPO.

(2) Other state laws to determine if and how other states regulate the distribution of voting power among the voting members of Metropolitan Planning Organizations and Rural Transportation Planning Organizations.

In 2017 the Federal Highway Administration (FHWA) published a report titled MPO Staffing and Organizational Structures that explored weighed voting among MPO governing boards. The study found that 13% of the 276 MPOs that responded to the survey question used weighted voting. MPOs with greater population were more likely to have weighed voting structures. Below is the table and results summary from the FHWA report:

<i>Table 2-4 Frequency of Weighted Voting Structures Among MPO Governing Boards</i>		
	Number of MPOs	Percent of Category
Less than 100,000	5	8%
100,000 to less than 200,000	4	5%
200,000 to less than 500,000	12	17%
500,000 to less than 1 million	5	20%
1,000,000+	10	26%
Total	36	13%

“MPOs reported that the weighted voting structure permitted in their bylaws had never been used. Table 2-4 shows the percentage of MPOs with established weighted voting structure within different population classes. The table shows that this percentage is greater for larger MPOs. While less than 10 percent of MPOs with populations below 200,000 reported a weighted voting structure, 26 percent of MPOs with populations over 1 million have established a weighted voting scheme. Many MPOs assign weight to votes according to the population of the member jurisdiction. Several MPOs reported that members may request a weighted vote, but that this rarely, if ever, occurs.”

(3) Methods to ensure regional governance under a weighted voting structure.

Weighted voting structures are established mostly based on population. However, one MPO weights votes by a ‘directly impacted’ jurisdictions structure (see the FBRMPO spreadsheet for additional details). The sample MPO MOU template provided by NCDOT encourages weighted votes to be reevaluated every 10 years based on the results of the most recent decennial U.S. Census.

(4) Quorum determination by members present instead of by weighted vote.

Quorum for all the MPOs and RPOs ensure that at least half of the board is present during the meeting. Most quorum determinations are structured as at least 51% of the members or 50% plus one member. A small number of planning

organizations have additional requirements to meet quorum. These include: at least one member of the biggest urban center be present; at least two counties must be represented to meet quorum; and/or at least 51% of the weighted vote be present for quorum. The attached overview spreadsheet presents the quorum requirements for each MPO and RPO.

- (5) Methods to accomplish redesignation in which each municipality has equal voting power.

A change to the voting framework would require a new MOU, including the adoption of the new MOU by each county and municipal board in the planning organization.

- (6) Any other topic or issue the Department determines to be relevant to the report.

Details on MPO and RPO voting structure and vote distribution are included in the attached spreadsheet.